

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

CIVIL ACTION NO.: 1:17-cv-10434-ADB

MEREDITH BONIN, on behalf of herself and all
Others similarly situated,

Plaintiffs,

v.

AMICA MUTUAL INSURANCE COMPANY,

Defendant.

PLAINTIFF'S MOTION FOR LEAVE OF COURT
TO FILE A SECOND AMENDED COMPLAINT

Plaintiff, by and through her attorneys, and pursuant to Fed. R. Civ. P. 15(a), move for leave to file a Second Amended Complaint. The purposes of the Second Amended Complaint (attached hereto as **Exhibit A**) are as follows: (1) to add factual allegations that are closely related to the originally filed claims in light of the Appeals Court's decision in *Kirby v. Liberty Mut. Ins. Co.*, 89 Mass. App. Ct. 1136 (2016), *rev. denied*, 476 Mass. 1106 (2016), and (2) to clarify the definition of the proposed classes, subclasses, and damages that Plaintiff seeks. In further support of her Motion, Plaintiff submits the accompanying Memorandum of Law.

Dated: March 20, 2017

Plaintiff
By Her Attorneys,

/s/ Elliot Beresen

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LOCAL RULE 7.1(A)(2) STATEMENT

Pursuant to Local Rule 7.1(A)(2), Plaintiff's counsel hereby certifies that it contacted Defendant's counsel by telephone on March 20, 2017 and attempted in good faith to resolve or narrow the issues raised by this Motion, but was unsuccessful.

/s/ Jeffrey S. Morneau

Jeffrey S. Morneau, Esquire

CERTIFICATE OF SERVICE

I hereby certify that the this document, filed through the ECF system, will be sent electronically to the registered participants as identified on the Notice of Electronic Filing ("NEF") and paper copies will be sent to those indicated as non-registered participants on the date of its filing.

/s/ Jeffrey S. Morneau

Jeffrey S. Morneau, Esquire